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CENTRAL FAX CENTER
NOV 03 2004

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TELECOPIER COVER SHEET

November 3, 2004

Total Number of Pages
(including cover letter): 25

Please deliver the transmitted facsimile pages to:

Examiner Alicia M. Harrington

Business Phone (703) 308-9295

Telecopier Phone: (703) 872-9306 – FORMAL COMMUNICATION

From: RICK D. NYDEGGER

Comments: Please see attached.

Docket No.: 7678.585

Serial No.: 10/044,346

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FILED VIA FACSIMILE

PATENT APPLICATION
Docket No. 7678,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Bruce S. McLean, et al.

Serial No.: 10/044,346

Filed: **January 11, 2002**

Conf. No.: 9698

For: **OPTICAL LENS USED TO FOCUS LED LIGHT**

Examiner: Alicia M. Harrington

Customer No.: 022913

CERTIFICATE OF FACSIMILE TRANSMISSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that this paper is being transmitted via facsimile to the Patent and Trademark Office to phone no. (703) 872-9306 (Formal Fax No.) on the date shown below.

- **Information Disclosure Statement (6 pgs.)**
- **Form PTO-1449 Listing One Hundred Ninety-Three (193) References (14 pgs.)**
- **Form PTO-2038 in the amount of \$180.00**
- **Transmittal Letter (2 pages)**

Dated this 31 day of October 2004.

Respectfully submitted,

Rick D. Nydegger
RICK D. NYDEGGER

RICK D. NYDEGGER
Registration No. 28,651
Attorney for Applicant

Customer No. 022913

RDN: cm
CM10000004657V001

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Docket No. 7678.585

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McLean et al.

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Confirmation No. 9698

Filed: January 11, 2002

For: OPTICAL LENS USED TO FOCUS LED LIGHT

Examiner: Alicia M. Harrington

TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

☒ Form PTO-1449 list of One hundred ninety-three (193) references submitted for consideration.

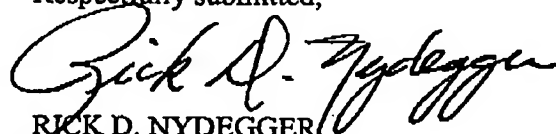


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 PETER F. MAFFIN, JR.
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 WHITNEY C. ROSANDER
 ANDREW S. HANSEN
 CHAD E. NYDEGGER
 JOSEPH G. PIA
 CLINTON E. DUFF
 DAVID J. LORIMER
 RYAN N. FAIR
 JAMES B. BLESHE

- ☒ In order to secure consideration of the items designated above, Form PTO-2038 in the amount of \$180.00 constituting submission fee under 37 C.F.R. 1.17(p).
- ☒ Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 31 day of October 2004.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
Attorney for Applicant

Customer No. 022913

RDN: cm
CM0000004656V001

RECEIVED
CENTRAL FAX CENTER**NOV 03 2004****FILED VIA FACSIMILE****PATENT APPLICATION**
Docket No: 7678.585**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Bruce S. McLean, et al.

Scrial No.

10/044,346

) Art Unit
) 2873

Filed:

January 11, 2002

Conf. No.

9698

For:

OPTICAL LENS USED TO FOCUS LED LIGHT

Examiner:

Alicia M. Harrington

Customer No.

022913

11/05/2004 BSAYASII 00000010 10044346

01 FC:1806

180.00 OP

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record

Page 1 of 6

believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

References Cited

Apart from this application, applicant has an issued patent, two pending design patent applications and numerous pending utility patent applications relating to dental curing lights and aspects of dental curing lights. Various references have been disclosed in the prosecution of the issued patent and the various pending patent applications, some or all of which the examiner may find material to this application. The issued patent and pending applications generally fall into three categories, (1) those generally relating to "Curing Lights," (2) those generally relating to "Heat Sinks," and (3) those generally relating to "Light Lenses and Sources." The IDS references and any other references that may have been cited by the examiner in connection with the issued patent and pending applications are identified below. For convenience, the issued patent and pending applications, and the references relating to those applications are grouped according to the three categories described above. Grouping the issued patent and pending applications and the references in those categories should not be construed as a representation regarding the subject matter disclosed by any of the references or their materiality or lack of materiality to other categories. Accordingly, we understand that, in accordance with usual practice, the Examiner will make an independent determination (a) as to the disclosures of the cited references and the identification of the subject matters to which they may relate, (b) as to whether the cited references are material to claims sought in this application, and (c) as to the relevance of the prosecution histories of the listed applications to this application, if any.

Some of the cited IDS references may have been previously cited in the present application. Should you have any concerns regarding this listing of references, please contact Rick Nydegger at 801-533-9800.

The following applications corresponding to "Curing Lights" have some relation to the present application:

U.S. Patent No. 6,072,576
 U.S. Design Application Serial No. 29/176,136
 U.S. Design Application Serial No. 29/176,137
 U.S. Patent Application Serial No. 10/068,103
 U.S. Patent Application Serial No. 10/324,596
 U.S. Patent Application Serial No. 10/677,707
 U.S. Patent Application Serial No. 10/740,000
 U.S. Patent Application Serial No. 10/916,283

The following IDS references were identified by one or more of the foregoing applications corresponding generally to "curing lights":

| | | <u>U.S. Patent No.</u> | | |
|-----------|-----------|------------------------|-----------|-----------|
| D361,382 | 5,115,761 | 5,669,769 | 6,028,694 | 6,318,996 |
| D385,051 | 5,123,845 | 5,698,866 | 6,036,336 | 6,322,358 |
| D385,630 | 5,139,495 | 5,772,643 | 6,068,474 | 6,325,623 |
| 4,184,196 | 5,161,879 | 5,782,553 | 6,077,073 | 6,331,111 |
| 4,221,994 | 5,275,564 | 5,791,898 | 6,103,203 | 6,419,483 |
| 4,281,366 | 5,328,368 | 5,797,740 | 6,019,482 | 6,468,077 |
| 4,309,617 | 5,348,552 | 5,803,729 | 6,033,223 | 6,482,004 |
| 4,348,180 | 5,415,543 | 5,882,082 | 6,095,661 | 6,485,301 |
| 4,666,405 | 5,420,768 | 5,908,294 | 6,095,812 | 6,511,317 |
| 4,666,406 | 5,457,611 | 5,908,295 | 6,099,520 | 6,611,110 |
| 4,698,730 | 5,485,317 | 5,912,470 | 6,102,696 | 6,692,251 |
| 4,935,665 | 5,521,392 | 5,921,777 | 6,159,005 | 6,719,559 |
| 4,963,798 | 5,616,141 | 5,975,895 | 6,200,134 | 6,755,648 |
| 5,013,240 | 5,634,711 | 6,001,058 | 6,208,788 | 6,755,649 |
| 5,043,634 | 5,660,461 | 6,008,264 | 6,282,013 | |

U.S. Publication No.

| | | | |
|--------------|--------------|--------------|--------------|
| 2001/0038992 | 2002/0168607 | 2002/0177096 | 2003/0039119 |
| 2001/0046652 | 2002/0168608 | 2002/0177099 | 2003/0039120 |
| 2002/0093833 | 2002/0172912 | 2002/0180368 | 2003/0039122 |
| 2002/0115037 | 2002/0172913 | 2002/0181947 | 2003/0040200 |
| 2002/0133970 | 2002/0172914 | 2002/0182561 | 2003/0133298 |
| 2002/0163317 | 2002/0172915 | 2002/0182562 | 2003/0148242 |
| 2002/0167283 | 2002/0172916 | 2002/0190659 | 2003/0218880 |
| 2002/0168603 | 2002/0172917 | 2002/0190660 | 2003/0219693 |
| 2002/0168604 | 2002/0175352 | 2002/0197582 | 2003/0219694 |
| 2002/0168605 | 2002/0175628 | 2003/0038291 | |

The following applications corresponding to "Heat Sinks" have some relation to the present application:

U.S. Patent Application Serial No. 10/024,110
U.S. Patent Application Serial No. 10/325,206
U.S. Patent Application Serial No. 10/749,059

The following IDS references were identified by one or more of the foregoing applications corresponding generally to "heat sinks":

U.S. Patent No.

| | | |
|-----------|-----------|-----------|
| 4,229,658 | 6,123,545 | 6,692,251 |
| 4,392,827 | 6,200,134 | 6,692,252 |
| 4,992,045 | 6,270,343 | 6,709,128 |
| 5,397,892 | 6,331,111 | 6,719,558 |
| 5,420,768 | 6,419,483 | 6,719,559 |
| 5,457,611 | 6,468,077 | 6,755,648 |
| 5,634,711 | 6,482,004 | 6,755,649 |
| 6,089,740 | 6,611,110 | |

U.S. Publication No.

| | | | |
|--------------|--------------|--------------|--------------|
| 2001/0038992 | 2002/0168608 | 2002/0180368 | 2003/0039122 |
| 2001/0046652 | 2002/0172912 | 2002/0181947 | 2003/0040200 |
| 2002/0073921 | 2002/0172913 | 2002/0182561 | 2003/0081430 |
| 2002/0093833 | 2002/0172914 | 2002/0182562 | 2003/0113684 |
| 2002/0155037 | 2002/0172915 | 2002/0190659 | 2003/0133298 |
| 2002/0163317 | 2002/0172916 | 2002/0190660 | 2003/0147258 |
| 2002/0167283 | 2002/0172917 | 2002/0197582 | 2003/0148242 |
| 2002/0168603 | 2002/0175352 | 2003/0036031 | 2003/0215766 |
| 2002/0168604 | 2002/0175628 | 2003/0038291 | 2003/0218880 |
| 2002/0168605 | 2002/0177096 | 2003/0039119 | 2003/0219693 |
| 2002/0168607 | 2002/0177099 | 2003/0039120 | |

The following applications corresponding to "Light Lenses and Sources" have some relation to the present application:

U.S. Patent Application Serial No. 10/044,346
 U.S. Patent Application Serial No. 10/301,158
 U.S. Patent Application Serial No. 10/325,510
 U.S. Patent Application Serial No. 10/423,275
 U.S. Patent Application Serial No. 10/813,306

The following IDS references were identified by one or more of the foregoing applications corresponding generally to "light lenses and sources":

| <u>U.S. Patent No.</u> | | | | | |
|------------------------|-----------|-----------|-----------|-----------|-----------|
| D361,382 | 4,836,782 | 5,348,522 | 5,759,032 | 6,033,087 | 6,361,489 |
| D385,051 | 4,935,655 | 5,371,826 | 5,762,605 | 6,068,474 | 6,398,398 |
| D385,630 | 4,963,798 | 5,382,799 | 5,768,458 | 6,077,073 | 6,402,511 |
| 3,310,358 | 4,948,215 | 5,388,988 | 5,782,553 | 6,095,661 | 6,419,483 |
| 3,704,928 | 5,013,144 | 5,415,543 | 5,791,898 | 6,095,812 | 6,439,888 |
| 3,930,149 | 5,013,240 | 5,420,768 | 5,797,740 | 6,099,520 | 6,465,961 |
| 4,184,196 | 5,017,140 | 5,448,323 | 5,803,729 | 6,102,696 | 6,468,077 |
| 4,221,994 | 5,071,222 | 5,457,611 | 5,880,839 | 6,103,203 | 6,482,044 |
| 4,245,890 | 5,115,761 | 5,485,317 | 5,905,268 | 6,155,823 | 6,511,317 |
| 4,266,535 | 5,123,845 | 5,521,392 | 5,908,294 | 6,159,005 | 6,511,321 |
| 4,281,366 | 5,139,495 | 5,527,261 | 5,908,295 | 6,200,134 | 6,514,075 |
| 4,522,594 | 5,161,879 | 5,616,141 | 5,912,470 | 6,280,187 | 6,709,128 |
| 4,611,992 | 5,275,564 | 5,634,711 | 5,971,755 | 6,318,996 | 6,719,559 |
| 4,666,405 | 5,285,318 | 5,660,461 | 5,975,895 | 6,322,358 | 6,755,648 |
| 4,666,406 | 5,288,231 | 5,698,866 | 6,008,264 | 6,325,623 | 6,755,649 |
| 4,682,950 | 5,290,169 | 5,711,665 | 6,019,482 | 6,328,456 | |
| 4,698,730 | 5,312,249 | 5,733,029 | 6,019,599 | 6,331,111 | |
| 4,733,937 | 5,328,368 | 5,749,724 | 6,028,788 | 6,361,192 | |

| <u>U.S. Publication No.</u> | | | |
|-----------------------------|--------------|--------------|--------------|
| 2001/0038992 | 2002/0168608 | 2002/0182561 | 2003/0081430 |
| 2001/0046652 | 2002/0172912 | 2002/0182562 | 2003/0133203 |
| 2001/0055451 | 2002/0172913 | 2002/0187454 | 2003/0142413 |
| 2002/0085372 | 2002/0172914 | 2002/0187455 | 2003/0147254 |
| 2002/0993833 | 2002/0172915 | 2002/0190659 | 2003/0147258 |
| 2002/0115037 | 2002/0172916 | 2002/0190660 | 2003/0148242 |
| 2002/0147383 | 2002/0172917 | 2002/0197582 | 2003/0152885 |
| 2002/0163317 | 2002/0175352 | 2003/0036031 | 2003/0186195 |
| 2002/0167283 | 2002/0175628 | 2003/0038291 | 2003/0215766 |
| 2002/0168603 | 2002/0177096 | 2003/0039119 | 2003/0219693 |
| 2002/0168604 | 2002/0177099 | 2003/0039120 | 2003/0235800 |
| 2002/0168605 | 2002/0180368 | 2003/0039122 | 2004/0033033 |
| 2002/0168607 | 2002/0181947 | 2003/0040200 | |

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each non-English reference, if any, are also enclosed.

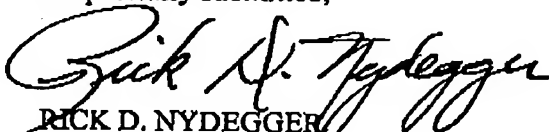
Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Under 37 C.F.R. § 1.97(c))

In accordance with 37 C.F.R. § 1.97(c), Form PTO-2038 in the amount of \$180.00 is enclosed to secure consideration of the references submitted with this Information Disclosure Statement. Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 31 day of October 2004.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
Attorney for Applicant

Customer No. 022913

RDN:cm
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FILED VIA FACSIMILE

Form PTO-1449

Sheet 1 of 14

Applicant: McLean et al.

Serial No. 10/044,346

Att'y Docket No. 7678.585

Confirmation No. 9698

Group: 2875

Filing Date: January 11, 2002

For: OPTICAL LENS USED TO FOCUS LED LIGHT

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT**U.S. Patent Documents**

| <u>Examiner Initial*</u> | <u>Patent Number</u> | <u>Issue Date</u> | <u>Name</u> | <u>Filing Date</u> |
|------------------------------|--------------------------|-----------------------|-----------------|------------------------|
| _____ A1. | Des 361,382 | 08/15/1995 | Brunsell et al. | 10/14/1993 |
| _____ A2. | Des 385,051 | 10/04/1997 | Wu | 07/10/1996 |
| _____ A3. | Des 385,360 | 10/28/1997 | Lieb et al. | 02/20/1996 |
| _____ A4. | 3,310,358 | 03/21/1967 | Marcatili | 05/01/1963 |
| _____ A5. | 3,704,928 | 12/05/1972 | Coombs et al. | 12/05/1972 |
| _____ A6. | 3,930,149 | 12/30/1975 | French | 05/28/1974 |
| _____ A7. | 4,184,196 | 01/15/1980 | Moret | 01/15/1980 |
| _____ A8. | 4,281,366 | 07/28/1981 | Wurster et al. | 02/25/1980 |
| _____ A9. | 4,221,994 | 09/09/1980 | Friedman et al. | 11/09/1978 |
| _____ A10. | 4,229,658 | 10/21/1980 | Gonser | 08/18/1978 |
| _____ A11. | 4,245,890 | 01/20/1981 | Hartman et al. | 01/02/1979 |
| _____ A12. | 4,266,535 | 05/12/1981 | Moret | 04/12/1979 |

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FILED VIA FACSIMILE

Form PTO-1449

Sheet 2 of 14

Applicant: McLean et al.

Serial No. 10/044,346

Att'y Docket No. 7678.585

Confirmation No. 9698

Group: 2875

Filing Date: January 11, 2002

For: OPTICAL LENS USED TO FOCUS LED LIGHT

| | | | | |
|------------|-----------|------------|--------------|------------|
| _____ A13. | 4,309,617 | 01/05/1982 | Long | 07/24/1980 |
| _____ A14. | 4,348,180 | 09/07/1982 | Schuss | 09/07/1982 |
| _____ A15. | 4,392,827 | 07/12/1983 | Martin | 11/04/1981 |
| _____ A16. | 4,522,594 | 06/11/1985 | Stark et al. | 06/11/1985 |
| _____ A17. | 4,611,992 | 09/16/1986 | Lokken | 11/02/1984 |
| _____ A18. | 4,666,405 | 05/19/1987 | Ericson | 02/22/1984 |
| _____ A19. | 4,666,406 | 05/19/1987 | Kanca, III | 01/13/1984 |
| _____ A20. | 4,682,950 | 07/28/1987 | Dragan | 10/30/1985 |
| _____ A21. | 4,698,730 | 10/06/1987 | Sakai et al. | 10/06/1987 |
| _____ A22. | 4,733,937 | 03/29/1988 | Lia et al. | 10/17/1986 |
| _____ A23. | 4,836,782 | 06/06/1989 | Gonser | 05/06/1983 |
| _____ A24. | 4,935,665 | 06/19/1990 | Murata | 11/07/1988 |
| _____ A25. | 4,948,215 | 08/14/1990 | Friedman | 08/10/1989 |
| _____ A26. | 4,963,798 | 10/16/1990 | McDermott | 02/21/1989 |
| _____ A27. | 4,992,045 | 02/12/1991 | Beisel | 10/28/1988 |
| _____ A28. | 5,017,140 | 05/21/1991 | Ascher | 05/15/1989 |

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FILED VIA FACSIMILE

Form PTO-1449

Sheet 3 of 14

Applicant: McLean et al.

Serial No. 10/044,346

Att'y Docket No. 7678.585

Confirmation No. 9698

Group: 2875

Filing Date: January 11, 2002

For: OPTICAL LENS USED TO FOCUS LED LIGHT

| | | | | |
|------------|-----------|------------|----------------------|------------|
| _____ A29. | 5,013,144 | 05/07/1991 | Silverglate et al. | 07/23/1990 |
| _____ A30. | 5,013,240 | 05/07/1991 | Bailey et al. | 06/19/1990 |
| _____ A31. | 5,043,634 | 08/27/1991 | Rothwell, Jr. et al. | 06/27/1988 |
| _____ A32. | 5,071,222 | 12/10/1991 | Laakmann et al. | 04/24/1990 |
| _____ A33. | 5,115,761 | 05/26/1992 | Hood | 10/09/1990 |
| _____ A34. | 5,123,845 | 06/23/1992 | Vassiliadis et al. | 05/28/1991 |
| _____ A35. | 5,139,495 | 08/18/1992 | Daikuzono | 01/12/1990 |
| _____ A36. | 5,161,879 | 11/10/1992 | McDermott | 04/10/1991 |
| _____ A37. | 5,275,564 | 01/04/1994 | Vassiliadis et al. | 02/12/1992 |
| _____ A38. | 5,285,318 | 02/08/1994 | Gleckman | 06/22/1992 |
| _____ A39. | 5,288,231 | 02/22/1994 | Kuehn et al. | 03/08/1993 |
| _____ A40. | 5,290,169 | 03/01/1994 | Friedman et al. | 11/02/1992 |
| _____ A41. | 5,312,249 | 05/17/1994 | Kennedy | 10/05/1992 |
| _____ A42. | 5,328,368 | 07/12/1994 | Lansing et al. | 04/20/1992 |
| _____ A43. | 5,348,552 | 09/20/1994 | Nakajima et al. | 08/26/1992 |
| _____ A44. | 5,371,826 | 12/06/1994 | Friedman | 08/27/1993 |

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FILED VIA FACSIMILE

Form PTO-1449

Sheet 4 of 14

Applicant: McLean et al.

Serial No. 10/044,346

Att'y Docket No. 7678.585

Confirmation No. 9698

Group: 2875

Filing Date: January 11, 2002

For: OPTICAL LENS USED TO FOCUS LED LIGHT

| | | | | |
|------------|-----------|------------|---------------------|------------|
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Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

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